

(18) CITATION CORRECTION.—Section 4110B is amended—

(A) by striking “this Act” and inserting “the Workforce Investment Act of 1998”; and

(B) by striking “the Workforce Investment Act of 1998” and inserting “that Act (29 U.S.C. 2822(b))”.

(19) CROSS-REFERENCE CORRECTION.—Section 4331(b)(2)(C) is amended by striking “section 2303(a)(2)(C)(ii)” and inserting “section 2302(a)(2)(C)(ii)”.

(20) CAPITALIZATION CORRECTION.—Section 7253(d)(5) is amended by striking “court” and inserting “Court”.

(21) CITATION CORRECTION.—Section 811(b)(1) is amended by striking “into the strategic” and all that follows through “and Results Act” and inserting “into the strategic plan of each Department under section 306 of title 5 and the performance plan of each Department under section 1115 of title 31”.

(22) REPEAL OF OBSOLETE PROVISIONS.—Section 811 is amended further—

(A) in subsection (d)—

(i) in paragraph (2), by striking “effective October 1, 2003,”; and

(ii) in paragraph (3)(A), by striking the last sentence; and

(B) in subsection (e)(2)—

(i) in the second sentence, by striking “shall be implemented no later than October 1, 2003, and”; and

(ii) in the third sentence, by striking “, following implementation of the schedule,”.

(23) CITATION CORRECTION.—Section 811A(a)(2)(B)(i) is amended by striking “Robert B.” and inserting “Robert T.”.

(b) PUBLIC LAW 107-296.—

(1) IN GENERAL.—Section 1704(d) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2315) is amended—

(A) by striking “101(25)(d)” and inserting “101(25)(D)”; and

(B) by striking “3011(a)(1)(A)(ii)(II)” and inserting “3011(a)(1)(A)(ii)(III)”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall be effective as of November 25, 2002.

**SA 2695.** Mr. FRIST (for Mr. STEVENS) proposed an amendment to the bill H.R. 1400, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes; as follows:

**SECTION 1. PROHIBITION AGAINST INTERFERING WITH FLIGHT CREWS THROUGH USE OF LASER POINTERS OR SIMILAR DEVICES.**

(a) IN GENERAL.—Chapter 465 of title 49, United States Code, is amended by adding at the end the following:

**“§ 46508. Interference with flight crew vision**

“(a) IN GENERAL.—An individual who interferes with, or attempts to interfere with, the ability of the flight crew of an aircraft in flight to see, or otherwise to impair the safe operation of an aircraft in flight, by illuminating the aircraft with a laser pointer or similar device shall be fined under title 18, imprisoned for not more than 5 years, or both.

“(b) EXCEPTIONS.—Subsection (a) does not apply to the illumination of aircraft by laser or other devices by—

“(1) an authorized individual in the conduct of research and development or flight test operations conducted by an aircraft manufacturer, the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct such research and development or flight test operations;

“(2) members or elements of the Department of Defense acting in an official capacity for the purpose of research, development, operations, testing or training; or

“(3) by an individual using a laser emergency signaling device to send an emergency distress signal.”.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 465 of title 49, United States Code, is amended by adding at the end the following:

“46508. Interference with flight crew vision”.

**SENATE ACCOMPLISHMENTS IN 2005**

Mr. FRIST. Mr. President, we have a lot to do in wrapup tonight. As we get those papers ready and bring the year to a close, I want to look back over what we have been able to accomplish and then look ahead at what we can expect.

In a letter to John Adams in September 1817, Thomas Jefferson, our third President, wrote:

A morsel of genuine history is a thing so rare as to be always valuable.

This past year has presented far more than a morsel. We have been witness to an abundance of extraordinary historic milestones, from the Iraqi elections and Lebanon's cedar revolution, the selection of a new Pope in Rome, and a new Chief Justice to lead the Supreme Court to the outpouring of generosity for the American people, first for the tsunami survivors, and then to their fellow citizens on the gulf coast.

Mr. President, 2005 has been a year of outside events.

I commend to my colleagues an article that appeared in Sunday's Washington Post. It was on the continuing success of the Army in reenlisting our GIs. It appeared on A-27 entitled “GIs in Iraq Choosing to Re-up.”

Across Iraq, U.S. soldiers on the front lines are reenlisting by the thousands. Since 2001, the Army has surpassed its retention targets by wider and wider margins each year. Conjuring up vivid scenes of daring and service, the Post reports that:

On palace rooftops and pockmarked streets, GIs are reenlisting in rituals that range from dramatic to harrowing. Soldiers have taken the oath in gaudy former residences of Saddam Hussein and in the spider hole near Tikrit where the gray-bearded fugitive was captured in December of 2003 . . .

Despite the risks and long months away from home, many soldiers . . . say serving in Iraq gives them a powerful sense of purpose.

So during this holiday season, I ask every American to offer their prayers, to offer their thanks to these brave young men and women who are risking their lives in far away lands to protect us and to provide us security.

I am gratified by the passage of the Defense appropriations bill tonight. This important legislation helps ensure that our armed services will receive the resources and authorities they need to protect America. From delivering advanced technologies to improving personnel protection, this bill delivers crucial support for our courageous men and women in uniform.

While our troops are protecting us abroad, the PATRIOT Act is protecting us here at home. Tonight we passed a 6-

month extension to this critical legislation. By unanimously and in a bipartisan way agreeing to a 6-month extension, the Senate reaffirmed that the PATRIOT Act is one of our most important tools in the war on terror both now and into the future.

Yes, we need to improve that act and, yes, no longer can we tolerate obstruction to that improvement of the act, but in a bipartisan way we came together tonight to say that despite a lot of passions and statements that we could rise above it, put forth a 6-month extension, and then hopefully be able to address and improve the PATRIOT Act.

It has been an intense and productive year for the Senate. We were able to meet many of our goals to deliver meaningful solutions to the needs, wants, and desires of the American people. Strength and security throughout were our guiding principles. We rolled up our shirt sleeves and tackled a number of fundamental structural issues that were driving up gas prices, that were inhibiting and constricting innovation, and that were threatening America's security.

To strengthen America's economic security, we passed a sweeping deficit reduction bill today that for the first time in 8 years cuts the growth of mandatory spending. This was a huge victory for the American people. It was a huge victory for fiscal responsibility. It was a victory for the American taxpayer. It shows that we are serious as a body about fiscal restraint, about cutting out wasteful Washington spending. Because of these critical reforms, America will be in a stronger position to meet our obligations, especially to the baby boomers who, as we all know, are just beginning to retire, especially to that doubling of the seniors in our population today, especially to the workforce who will be supporting those seniors in the years to come.

This year, we also passed a tax cut extension. We also passed an energy bill, a major highway bill. We addressed free trade through the Central American Free Trade Act. We addressed pensions. Just today, we passed SMART grants, which actually give up to \$8,000 over 2 years to disadvantaged or low-income students, to Pell-income students, to encourage them to major in math, science, and engineering, those fields which we know are important to job creation in the future.

By facing these issues head on, by responding to them, by legislating, we are making America less dependent on foreign oil, more prepared to compete with India and China in that global marketplace. We helped rebuild that infrastructure to support and promote our economic growth.

We also addressed a problem that has been hanging over the small business community and the courts for years—the litigation lottery lawsuit abuse. We all know that frivolous litigation has been driving up health care costs. It

has been driving up consumer prices for everything from toothpaste to blue jeans. It has been clogging our courts. It has been making our health care more expensive, and that drives people to the ranks of the uninsured. It generally wastes our taxpayer dollars, taxpayer dollars that can be spent more productively.

For years, Republicans have fought for reform, have talked reform, but in this Congress we have delivered on litigation reform, on lawsuit abuse reform. We passed class action reform. We passed bankruptcy reform. We passed gun manufacturing liability reform. That is three reforms in terms of liability. Tonight, just a few hours ago, we passed very targeted vaccine manufacturing protections in emergency situations to make America safer, to help rebuild that manufacturing capacity which has been decimated over the past 20 years. This brings fairness to our system. This brings rationality to the system. This slows down the litigation lottery that injects inequities into our system. As a result, appropriate compensation will go to the people who really need it. Those resources which are wasted and which are taken out of the system are directed to those people who do deserve appropriately to be compensated. These are the economic issues.

At the same time we were addressing those economic issues, we also continued to focus on securing our homeland, focusing on our homeland security, strengthening our national security.

Earlier this year, I had the opportunity to travel in part as a Senator but in larger part probably as a physician to Sri Lanka, where I had the chance to witness the devastation that occurred as a result of that natural tsunami disaster. In the wake of that particular disaster, in this body we passed a generous relief package that helped the victims recover and rebuild. This critical help paid immediate dividends in lives saved and—we cannot dismiss this—it helped improve the way others around the world look at us. They recognize America's good will. They recognize America's compassion. I say this because I think it particularly is important among Muslims in Southeast Asia.

Likewise, our outpouring of aid and assistance to Pakistan following their earthquake disaster has significantly improved our standing in that country.

Disaster, as we all know, unfortunately, was a dominant thing throughout 2005, and here at home we were hit through Katrina and Rita by the worst natural disaster in the history of this country. Hundreds of thousands of residents across Alabama, Louisiana, and Mississippi were flooded from their homes. Katrina devastated 90,000 square miles. That is an area larger than the United Kingdom.

A few hours ago, on the Senate floor, Senator STEVENS was recounting his experiences having spent several days along that gulf coast. About 3 to 4 days

after the levees broke in New Orleans, I, too, had the opportunity to be in the airport as patients were being brought in and people were being evacuated out of New Orleans. I had the opportunity to talk to people on stretchers who 3 days before had homes that they had been in for 30, 40, 50 years. Those homes were totally washed away and destroyed with all of their belongings. Whole towns were washed away.

We traveled also on the first trip, as well as the second trip, to Alabama and to Mississippi, along that entire gulf coast. One can see the utter catastrophe of that coast, inland for miles. The Senate immediately set to work providing aid, relief, and support, and that continued tonight.

We passed numerous measures to help people get up off the ground and to get their boots back on the ground and be able to reestablish some element of normalcy and also to support the rebuilding efforts that have begun, that will result in renewal we all know will continue long into the future.

Tonight, as part of the Defense appropriations bill, we passed \$29 billion in Hurricanes Katrina and Rita relief. We will continue to work hard to help the citizens of the gulf coast rebuild, renew, and restore their communities in the days ahead, in the weeks and months ahead, and, indeed, in the years ahead. The American people stand firmly behind their neighbors in the gulf region.

We also took action tonight to prepare for another potential disaster that is waiting to happen, and that is the threat of avian flu. We do not know if avian flu is going to become transmissible from one person to another person to another, but what we do know is that it is a novel virus. It is a new virus. It is very similar to that virus of 1918 which we know killed about 50,000 people—actually killed about 30 million to 40 million people worldwide and half a million people in this country.

We know that novel virus we do not have any immunity to. We don't have any natural immunity to it. We know with that novel virus today, that people who have been infected have a 50-percent mortality rate. One out of every two people we know were infected with that virus died. We know that virus has jumped to other species. It jumped from avian or birds that it starts in, to cats, and from cats we know that it has jumped to humans. We know that 5 million—20 million birds died, and 100 million, now 200 million birds died, and it started in southeast Asia and is now moving across to eastern Europe. We do not know if it is going to become a pandemic, but what we do know is we are unprepared. We know it is fast moving.

The Congressional Budget Office study the other day said if that virus does become transmissible, and if it has the same fatality rate and prevalence rate as that virus in 1918, the so-called Spanish flu, the economic im-

pact on this country could be as high as \$675 billion.

The good news is we know if we become prepared, we can reduce that markedly, and we can save lives. But we are unprepared today. How do we respond? Again, about 2 hours ago we put in money, additional resources, and we put in appropriate targeted liability protections to help build our manufacturing base, and we added an element of compensation in the event that somebody was inadvertently hurt in some way by a vaccine or a countermeasure that was necessary in emergency situations, they could seek and receive compensation.

We are going to be better prepared as a product of this. Whether it is in the next 5 weeks, 5 months, or 5 years, we will be able to look our constituents in the eye and tell them that we did the right thing on December 21, 2005, and that help, indeed, is on the way.

Our Nation is a large nation. It is a diverse and a vibrant nation. To meet all of these challenges before us, we need a sound government, a strong government, an efficient government that meets its basic obligations. Here, too, we have acted this year. We made progress. We need a government that is smart, that is efficient, that is effective; a government that works for the people and respects the taxpayers' hard-earned dollar. To that end, this year we passed a budget resolution. What is remarkable—but I am sure doesn't sound remarkable to people across America who are viewing tonight—is the fact that we passed all 12 appropriations bills, our spending bills, one by one, individually, across the floor of the Senate.

It is almost embarrassing that we have to say that is a great achievement, but indeed in this body it is a tremendous achievement that has not been achieved in years. We passed the Health and Human Services bill a couple of hours ago, the 12th of those bills. These are the bills that ensure that Government is carrying out its most basic function: to protect and serve the American people and to do so in a fiscally responsible way.

This year we were also able to overcome partisan obstruction, which was very frustrating, which continued for about 2½, almost 3 years. We were able to overcome the judicial obstruction, this partisan obstruction, and indeed successfully confirm eight Federal judges who had previously been obstructed, who had previously been filibustered. These judges now are serving America proudly. They allow our courts to be able to function at full capacity and thus provide the justice that had been lacking because of not being able to fill those seats.

Of course, this fall we had the privilege of confirming a new Chief Justice to the Supreme Court; a man all of us have gotten to know, the eminently qualified and highly respected Justice John Roberts.

All of this is just a partial accounting of the work that we were able to do

this year to strengthen America, to move us forward, to strengthen our economic security, to strengthen our national security. In the new year, we are going to have a lot of challenges. We have a lot to accomplish over the next year. But I am absolutely confident that by keeping our eye on the ball, by staying focused, by working together in a bipartisan way we will be able to continue to cut bureaucratic redtape, to have more efficient Government, to demonstrate more fiscal restraint, to lower Government spending, to support our troops in the field, and to promote policies that will make America safer and more prosperous and healthier and stronger.

I extend my warm wishes to my colleagues for a joyous holiday season. The holidays also are an opportunity to gather with loved ones, to cherish achievements, and to recommit ourselves to the challenges that lay ahead. May we all find strength and renewal in this season, and may we all allow the good will which warms our homes during the holidays to be shared with others—our families, our friends, our neighbors—throughout the year to come.

To our colleagues, to our staff, to the pages who are here tonight, the colleagues who hopefully are at home and in bed now, to the press corps who has been so actively covering us up until about 15 or 20 minutes ago and are probably writing their stories right now, I wish you all happy holidays, and to all a very Merry Christmas.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### STATUS QUO OF NOMINATIONS

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that all nominations received by the Senate during the first session of the 109th Congress remain in status quo following the sine die adjournment of the first session under the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate, with the following exceptions: Calendar No. 436, Brett Cavanaugh, PN203, and a list of nominations from the Armed Services that is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent the Senate immediately proceed to executive session to

consider the following nominations on today's Executive Calendar, Calendar Nos. 149, 219, 464, 483, 486, 487, 488, 489, and all nominations on the Secretary's desk; provided further the Commerce Committee be discharged further from consideration of the following nominations, and they be considered en bloc: PN1147 and PN1146; I further ask unanimous consent the nominations be confirmed en bloc, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624.

#### To be brigadier general

Col. Donald M. Bradshaw, 0000

#### DEPARTMENT OF THE INTERIOR

R. Thomas Weimer, of Colorado, to be an Assistant Secretary of the Interior.

#### DEPARTMENT OF HOMELAND SECURITY

Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

Vincent J. Ventimiglia, Jr., of Maryland, to be an Assistant Secretary of Health and Human Services.

#### IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### To be major general

Brigadier General Philip M. Breedlove, 0000

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under the title 10, U.S.C., section 601:

#### To be lieutenant general

Maj. Gen. Gary D. Speer, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Lt. Gen. Charles C. Campbell, 0000

#### IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

#### To be major general

Brig. Gen. Andrew B. Davis, 0000

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

#### IN THE AIR FORCE

PN785 AIR FORCE nominations (177) beginning JOLENE A. \* AINSWORTH, and ending DAVID C. \* ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of July 28, 2005.

PN994 AIR FORCE nominations (61) beginning CRAIG L. ADAMS, and ending MATTHEW C. WYATT, which nominations were received by the Senate and appeared in the Congressional Record of October 17, 2005.

PN996 AIR FORCE nominations (1235) beginning JAY O. AANRUD, and ending SCOTT C. ZIPPWALD, which nominations were received by the Senate and appeared in the Congressional Record of October 17, 2005.

PN1123 AIR FORCE nomination of Martin E. Keillor, which was received by the Senate and appeared in the Congressional Record of December 14, 2005.

PN1124 AIR FORCE nominations (3) beginning ROBERT W. DESVERREAUZ, and ending CHETAN U. KHAROD, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2005.

PN1125 AIR FORCE nomination of Julie S. Miller, which was received by the Senate and appeared in the Congressional Record of December 14, 2005.

PN1126 AIR FORCE nomination of Kara A. Gormont, which was received by the Senate and appeared in the Congressional Record of December 14, 2005.

#### IN THE ARMY

PN1103-1 ARMY nominations (527) beginning DEIBY ACEVEDO, and ending DAVID R. ZYSK, which nominations were received by the Senate and appeared in the Congressional Record of December 13, 2005.

PN1104 ARMY nominations (478) beginning HOLTORF R. ALONSO, and ending RICHARD M. ZYGADLO, which nominations were received by the Senate and appeared in the Congressional Record of December 13, 2005.

PN1105 ARMY nominations (17) beginning THOMAS E. AYRES, and ending PETER C. ZOLPER, which nominations were received by the Senate and appeared in the Congressional Record of December 13, 2005.

PN1127 ARMY nomination of Cindy R. Jebb, which was received by the Senate and appeared in the Congressional Record of December 14, 2005.

PN1128 ARMY nomination of Richard L. Chavez, which was received by the Senate and appeared in the Congressional Record of December 14, 2005.

PN1129 ARMY nominations (2) beginning SAMUEL CASCCELLS, and ending SLOBODAN JAZAREVIC, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2005.

PN1130 ARMY nominations (5) beginning JOSEPH J. IMPALLARIA, and ending ARTHUR E. LEES, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2005.

#### IN THE MARINE CORPS

PN1131 MARINE CORPS nomination of Michelle A. Rakers, which was received by the Senate and appeared in the Congressional Record of December 14, 2005.

#### IN THE NAVY

PN1110 NAVY nominations (42) beginning TONY C. BAKER, and ending JAMES J. VOPELIUS, which nominations were received by the Senate and appeared in the Congressional Record of December 13, 2005.

PN1132 NAVY nomination of Lloyd G. Lecain, which was received by the Senate and appeared in the Congressional Record of December 14, 2005.

#### IN THE COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

#### To be lieutenant commander

Connie M. Rooke, 0000

#### To be lieutenant

Joseph T. Benin, 0000

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.